

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	: 10/736,309	Confirmation No. 5479
Applicant	: Creamer, et al.	
Filed	: December 15, 2003	
TC/A.U.	: 2688	
Examiner	: Phuong, Dai	
Docket No.	: BOC9-2003-0058 (429)	

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**DECLARATION UNDER 37 C.F.R. § 1.131**

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Neil A. Katz, a citizen of the United States, residing in Parkland, Florida, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) of Armonk, New York, at the time the above-identified application was conceived. I make this declaration in support the above-identified application.

2. IBM invests substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I and my co-inventors prepared and submitted the attached Invention Disclosure No. BOC8-2003-0053 pursuant to the IBM guidelines.

4. IBM Confidential Invention Disclosure BOC8-2003-0053 was originally submitted for consideration to an IBM Attorney/Patent Professional for preparation of a patent application on March 25, 2003, and insubstantially modified on April 3, 2003. The content of the disclosure has not been subsequently modified. The disclosure represents a fully conceived and workable invention as written. I reviewed the claims of the above-mentioned patent application prior to submission of the application to assure the claimed invention was fully

supported by the disclosure in light of the invention disclosure and art known at the time of the disclosure.

5. Following the submission of Invention Disclosure No. BOC8-2003-0053, I diligently worked with IBM Attorney/Patent Professionals and outside counsel to prepare and file the above-mentioned patent application. During the period from April 3, 2003, to the filing of the above-identified application on December 15, 2003, I reviewed various documents and provided input needed for preparing the application, including reviewing and providing comments on drafts of the application prepared by outside counsel.

6. I make this Declaration to establish that my co-inventors and I conceived of the present invention at least as early as March 25, 2003, and exercised due diligence from that date to the filing of the above-identified patent application on December 15, 2003.

7. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

Neil A. Katz

Date: 7/20/2006

STATE OF FLORIDA )  
 ) ss:  
COUNTY OF PALM BEACH )

The foregoing instrument was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, by NEIL A. KATZ, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

**NOTARY PUBLIC, STATE OF FLORIDA**

(Print, Type or Stamp Commissioned Name of Notary Public)